

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TIMMOTHY WAYNE TARTER,

Defendant.

CASE NO. CR22-0135-JCC

ORDER

This matter comes before the Court on Defendant Timmothy Tarter's unopposed motion to continue trial and extend the due date for pretrial motions (Dkt. No. 26). Having reviewed the motion and the relevant record, the Court makes the following findings and conclusions:

1. Failure to grant the continuance in this case would likely result in a miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(B)(i).

2. Taking into account the exercise of due diligence, failure to grant the continuance in this case would deny defense counsel the reasonable time necessary for effective preparation, given the nature and complexity of the charges and the continuing production of discovery by the Government. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

3. The additional time requested is a reasonable period of delay, as more time is necessary for defense counsel to prepare for trial and the requested continuance is reasonably

1 modest. *See* 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

2 4. The ends of justice served by granting this continuance outweigh the best interests
3 of the public and Defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

4 5. Defendant has filed a speedy trial waiver consenting to a continuance of his trial
5 to any date up to and including February 23, 2023. (Dkt. No. 26-2.)

6 Accordingly, the Court ORDERS that:

7 1. The motion to continue (Dkt. No. 26) is GRANTED.

8 2. The jury trial in this case is hereby CONTINUED from November 7, 2022
9 to February 6, 2023 at 9:30 a.m.

10 3. The resulting period of delay from November 7, 2022 to February 6, 2023
11 is hereby EXCLUDED for speedy trial purposes under 18 U.S.C. §
12 3161(h)(7)(A) and (B).

13 4. Pretrial motions are due no later than Monday, January 9, 2023.

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15 DATED this 7th day of October 2022.

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19 John C. Coughenour
20 UNITED STATES DISTRICT JUDGE
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